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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED**  
**JUN 05 2002**  
**TECH CENTER 1600 2900C**

In re Patent Application of  
Belfield et al  
Serial No. 09/743,194  
Filed: January 8, 2001

Atty. Ref.: 3525-119  
Group: 1636  
Examiner: Leffers, Jr., G.

For: COMPOSITIONS AND METHODS UTILIZING SEQUENCES FOR CONTROLLING  
NUCLEIC ACID EXPRESSION IN YEAST

\* \* \* \* \*

May 31, 2002

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

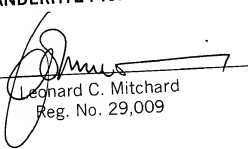
**RESPONSE**

In response to the Official Action mailed April 26, 2002, the Applicants hereby elect Group IV, with traverse. Please note that it is understood that Group IV is Claims 1-29 featuring SEQ ID NO:4, not SEQ ID NO:1 as stated in the action. If any questions arise in this regard, it is requested that the undersigned be telephoned at 703-816-4005.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 3525-119

C# M#

Belfield et al

Group Art Unit: 1636

Serial No. 09/743,194

Examiner: Leffers, Jr., G.

Filed: January 8, 2002

Date: May 31, 2002

Title: COMPOSITIONS AND METHODS UTILIZING SEQUENCES FOR CONTROLLING NUCLEIC ACID EXPRESSION IN YEAST

Assistant Commissioner for Patents  
Washington, DC 20231

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JUN 05 2002  
TECH CENTER 1600/2900

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

**Fees are attached as calculated below:**

Total effective claims after amendment	0	minus highest number		\$	0.00
previously paid for	20	(at least 20) =	0 x \$ 18.00		

Independent claims after amendment	0	minus highest number		\$	0.00
previously paid for	3	(at least 3) =	0 x \$ 84.00		

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months) \$ 400.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$740.00) \$ 0.00

- ☐ Please enter the previously unentered, filed  
☐ Submission attached

**Subtotal \$ 400.00**

If "small entity," then enter half (1/2) of subtotal and subtract  
☐ Applicant claims "small entity" status. ☐ Statement filed herewith - \$ 0.00

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

**TOTAL FEE ENCLOSED \$ 400.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature: 